

MEETINGS TO DATE 25
NO. OF REGULARS 20
NO. OF SPECIALS 5

LANCASTER, NEW YORK
OCTOBER 14, 1974

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 14th day of October, 1974 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: PETER J. BOLENDER, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF
JOHN M. COSTELLO, ASSESSOR III

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed amendment to Article IV - Traffic Control Signals - A. William Street and Bowen Road.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS:

ADDRESS

None

OPPOSERS:

ADDRESS

None

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the Public Hearing was closed at 8:04 P.M.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	September, 1974
Police Department	September, 1974
Building Inspector	September, 1974
Dog Warden	September, 1974
Ambulance	September, 1974

COMMITTEE REPORTS:

Councilman Barnhardt, for Sewer District No. 4 Committee, reported that the district will be receiving construction bids for the first phase of construction on October 14, 1974.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held on September 30, 1974, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the New York Planning Federation will hold a Planning and
Zoning Institute in Grossinger, New York, October 20th through 22nd, 1974,
of particular interest to Town Board members and Town Planning personnel,

NOW, THEREFORE, BE IT

RESOLVED, that such members of the Town Board and Planning Board and
the Town Attorney who are able to attend the Annual Planning and Zoning
Institute of the New York Planning Federation at Grossinger, New York, October
20th through 22nd, 1974, be and hereby are authorized to attend, with the
reasonable and necessary expenses incurred to be paid by the Town, of Lancaster.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it is the desire and intent of all parties concerned to
renew the Agreement heretofore entered into by the Town of Lancaster, the
Village of Lancaster and the Depew-Lancaster Boys' Club, Inc. for operation
of the Junior Citizens Club for the period October 14, 1974 to October 13,
1975, and

WHEREAS, the Town Attorney and Village Attorney have reviewed said
renewal agreement and find it satisfactory and all parties concerned are in
agreement relative to the increased operating budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby
is authorized and directed to execute the Agreement for operation of the
Junior-Citizens Club for the period October 14, 1974 to October 13, 1975.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a public hearing was held on the 14th day of October, 1974,
for the purpose of amendment of Chapter 46, Vehicle and Traffic Ordinance of
the Code of the Town of Lancaster, and persons for and against such amendment
have had an opportunity to be heard, and

WHEREAS, Notice of said public hearing was duly published and
posted,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic, of the Code of the Town
of Lancaster be amended as proposed, and
2. That said amendment be added in the minutes of the Meeting of
the Town Board of the Town of Lancaster held on the 14th day of October, 1974,
and
3. That a certified copy thereof be published in the Lancaster
Enterprise-Journal, the official newspaper, on October 17, 1974, and
4. That a certified copy of this amendment be posted on the Town
Bulletin Board, and
5. That affidavits of publication and posting be filed with the
Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duky~~

The resolution was thereupon unanimously adopted.

October 14, 1974

LEGAL NOTICE
NOTICE OF ADOPTION
OF
AMENDMENT TO
VEHICLE AND TRAFFIC ORDINANCE
OF
THE TOWN OF LANCASTER
COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

ARTICLE IV - Traffic Control Signals - is hereby amended by adding thereto:

Sec. 46-4.1

Flashing signals shall be installed, maintained and operated in accordance with the provisions as set forth in Sections 310 of the Manual of Uniform Traffic Control Devices of the State of New York, at the following intersection:

A. William Street and Bowen Road

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, certain on-site modifications in the construction of the
Lancaster Public Library have resulted in the necessity of certain change-
orders resulting in additions and credits, and

WHEREAS, the Town's architect has recommended such change-orders be
accepted by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and
directed to execute the following change-orders:

C-1	Furnish and install a key switch in the hall button fixture at the basement and first floors	Add	\$ 178.50
C-2	Remove debris and replace with compacted fill	Add	2,652.00
C-3	Add steel lintels to support stone coping	Add	239.33
S-1	Relocate sanitary sewer from building to Broadway sewer branch	Deduct	400.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~and~~
The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it is necessary to supply electrical service to the
Lancaster Center on Pavement Road, formerly the Nike Site, and

WHEREAS, in order to provide electrical service to said site, New
York State Electric & Gas Corporation has requested a permanent easement to
accomplish such electrical service, and

WHEREAS, said easement has been reviewed by the Town Attorney and
found to be acceptable,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby
is authorized to execute a permanent easement in the form tendered to the
New York State Electric & Gas Corporation in order to provide electrical
service to the Lancaster Center on Pavement Road, formerly the Nike Site.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~
The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, a public hearing was held on the 30th day of September, 1974, for the purpose of amending the Zoning Ordinance and Zoning Map of the Town of Lancaster, and

WHEREAS, a Notice of said public hearing has been duly published and posted, and

WHEREAS, the Planning Board and Planning Consultant of the Town of Lancaster have recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239 (m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RC, Residence-Restricted Business District, to an SA, Suburban Agricultural District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being known as part of Lot 1, Section 4, Township 11, Range 6 of the Holland Land Company's Survey, and more particularly described as follows:

BEGINNING at the point of intersection of the northerly line of Broadway and the westerly line of Schwartz Road; proceeding thence north along the westerly line of Schwartz Road 200 feet to a point; thence easterly and parallel with the north line of Broadway 674.33 feet to a point; thence southerly and parallel with the west line of Schwartz Road 200 feet to a point in the north line of Broadway; thence easterly along the north line of Broadway 674.33 feet to the point or place of beginning,

and

BE IT FURTHER

RESOLVED, as follows:

1. That said Ordinance Amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 14th day of October, 1974, and
2. That a certified copy thereof be published in the Lancaster Enterprise-Journal, the official newspaper, on October 17, 1974, and
3. That affidavits of publication be filed with the Town Clerk, and
4. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duxkyx~~
The resolution was thereupon unanimously adopted.

October 14, 1974

• LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO ZONING ORDINANCE
TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster hereby is amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RC, Residence-Restricted Business District, to an SA, Suburban Agricultural District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being known as part of Lot 1, Section 4, Township 11, Range 6 of the Holland Land Company's Survey, and more particularly described as follows:

BEGINNING at the point of intersection of the northerly line of Broadway and the westerly line of Schwartz Road; proceeding thence north along the westerly line of Schwartz Road 200 feet to a point; thence easterly and parallel with the north line of Broadway 674.33 feet to a point; thence southerly and parallel with the west line of Schwartz Road 200 feet to a point in the north line of Broadway; thence easterly along the north line of Broadway 674.33 feet to the point or place of beginning.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, heretofore the Town Board of the Town of Lancaster retained William R. Trautman Associates for additions to and re-construction of various buildings and certain site improvements to the former Nike Site on Pavement Road in the Town of Lancaster, to be known as the Lancaster Center, and

WHEREAS, by letter of August 23, 1974, said William R. Trautman Associates submitted cost estimates and plans for site improvements, Police and Court Building and Recreation Building, and

WHEREAS, by letter of October 1, 1974, said Trautman Associates tendered Attachment 'A' to the agreement heretofore entered into between the Town and said Trautman Associates, which Attachment 'A' sets forth the cost of engineering services when project construction is awarded and which Attachment is on file in the Town Clerk's Office, and

WHEREAS, it is deemed in the public interest that such Attachment 'A' be accepted by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said Attachment 'A' to the Agreement heretofore entered into between the Town of Lancaster and William R. Trautman Associates.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duxx~~

The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ, TO WIT:

RESOLVED, that the following transfers within the General Fund of
the Town of Lancaster be effected:

	<u>Account</u>	<u>To</u>	<u>Amount</u>	<u>Account</u>	<u>From</u>	<u>Amount</u>
Equipment Traffic Control	3310.2		\$ 1120.85	3310.480		\$ 1120.85
Recreation Administration Playgrounds & Recreation	7020.1		2483.00	7140.1		2483.00
Recreation Administration Pool	7020.1		500.00	7180.480		500.00
Unallocated Insurance Contingent	1910.		3198.00	1990.		3198.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED WAS ABSENT
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

~~and~~

The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BARNHARDT, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 1069 to 1121 Incl.	\$ 102,688.61
Special District	No. 80 to 84 Incl.	\$ 7,199.66
Part Town Funds	No. 84 to 89 Incl.	\$ 11,145.85
Highway Funds	No. 232 to 243 Incl.	\$ 21,180.72
Trust & Agency Funds	No. 38 to 40 Incl.	\$ 26,662.18
Federal Revenue Sharing	No. 5 to 5 Incl.	\$ 49,000.00
Capital Fund	No. 30 to 34 Incl.	\$ 192,944.70

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED WAS ABSENT

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

October 14, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
120	Guhl & Weir	10 Evergreen Drive	ER. FR. PT. BR. VEN. SING. DWLG. PVT. GAR.
121	Jerome Lester	26 East Home Road	ER. FR. PRE-FAB SING. DWLG.
122	So. Town Petroleum	3620 Walden Avenue	ER. FR. MANSARD

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED WAS ABSENT
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

October 14, 1974

COUNCILMAN METZ requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Justices of the Town of Lancaster have requested authorization to hire a part-time clerk in the Justices' Department due to increased work load,

NOW, THEREFORE, BE IT

RESOLVED, that the appointment by the Town Justices of Janet Mrozek, 15 Benson Drive, Lancaster, New York, as part-time clerk, effective October 7, 1974, to work no more than fifteen (15) hours per week at a salary of \$2.50 per hour, be and hereby is confirmed, and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster file the necessary personnel forms to accomplish the foregoing with the Personnel Officer of the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	XXXX	WAS ABSENT
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTE D	YES

~~duly~~
The resolution was thereupon unanimously adopted.

October 14, 1974

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Signalization - Bowen and William

On October 14, 1974 the Town Board adopted a resolution amending the V & T Ordinance of the Town of Lancaster authorizing the installation of this traffic control light.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

2. Signalization - Walden and Ransom

Councilman Berent reported on September 30, 1974 that he is still working with the County on cost estimates for the preparation of specifications for the installation of a light at this location.

3. Reduced Speed Limit - Seneca Place

On September 30, 1974 the Town Board adopted a resolution directing the Town Clerk to request a traffic survey of this area from the New York State Department of Transportation.

4. Rezone Petition - St. Adalbert's R. C. Church

On October 14, 1974 the Town Board adopted a resolution granting this rezone.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

5. Special Cemetery Use Permit - St. Adalbert's R. C. Church

On September 3, 1974 the Town Board referred this petition to the Planning Board for review and report to the Town Board.

COMMUNICATIONS:DISPOSITION

301. Town Clerk to Town Board -
Resume of actions taken in response to
resolutions and directives - Meeting
of September 30, 1974.
302. Town Attorney to Depew Village Attorney -
Re: Maintenance of St. James Street
Bridge.
303. Girl Scouts of Lancaster to Town Board -
Request permission to remain in
basement quarters of present Library.
304. County Commissioner of Environmental
Quality to Town Clerk -
Transmittal - Outline of Proposed
Content "Environmental Quality Code
for Erie County".
305. Supervisor to Town Board -
Investment of funds at M & T on
October 7, 1974 for total dollar
earnings of \$2,012.50.
306. County Director, Office of Public Health
Education and Information to Town Clerk -
Notification - Public Hearing -
October 30, 1974 to amend Erie County
Sanitary Code.
307. U. S. Army Corps of Engineers to Supervisor -
Notification - Public Meeting on Ellicott
Creek Flood Control on November 7, 1974
at Sweet Home Senior High School.
308. Town Justices Edward V. Mazur and
James M. Kelleher to Town Board -
Request authorization to hire
Janet Mrozek as part time clerk in
Town Justice Department.
309. Depew Village Clerk to Town Clerk -
Thank you from Village Board for Town
assuming cost of installation and
maintenance of 911 Emergency telephone
service.
310. Town Assessor to Town Board -
Request authorization to attend
Instructors Training Course in
Albany, New York the week of
October 21, 1974 with expenses paid
by New York State Board of
Equalization and Assessment.
311. Office for Local Government to Town
Clerk -
Re: Office for Local Government
Regional Management Conference to be
held in Rochester, New York, on
October 31, 1974.

R & F

Town Attorney

Capital Improvement
CommitteePlanning Brd. Sec.
Env. Cons. Sec.
Planning Committee

R & F

Planning Brd. Sec.
Town AttorneyPlanning Brd. Sec.
Env. Cons. Sec.

R & F

R & F

R & F

R & F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:20 P.M. out of respect to:

JULIE C. LORENTZ

Signed

Robert P. Thill

Robert P. Thill, Town Clerk

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